



Security Council

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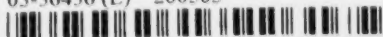
Original: English

Letter dated 16 May 2003 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

On instructions of my Government, and in view of the recent developments in Bunia, the Democratic Republic of the Congo, I have the honour to transmit to you herewith a statement made in Kampala on 8 May 2003 by Lt. Gen. Moses Ali, Second Deputy Prime Minister and Minister of Disaster Preparedness (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Semakula **Kiwanuka**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Uganda to the United Nations



Annex to the letter dated 16 May 2003 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

Statement made on 8 May 2003 by Lt. Gen. Moses Ali, Second Deputy Prime Minister/Minister for Disaster Preparedness

1. I would like to reiterate that in fulfilment of the Luanda Agreement between the Government of Uganda and the Government of the Democratic Republic of the Congo and the subsequent Dar es Salaam Agreement and the establishment of the Ituri Pacification Commission, and in compliance with the relevant Security Council resolutions, the Uganda Government has completed withdrawal of its forces from Bunia, eastern Democratic Republic of the Congo. The Uganda Government is, therefore, no longer responsible for the maintenance of security in Ituri province.

2. The Government of Uganda warned the international community that the withdrawal of the Uganda People's Defence Force (UPDF) without deployment of adequate United Nations forces would create a security vacuum that would lead to flares of the Lendu-Hema conflict, which had been contained by UPDF. The current United Nations Mission in the Democratic Republic of the Congo (MONUC) and elements of the Congolese police deployment has proved inadequate.

3. Following the withdrawal of Ugandan forces, inter-ethnic conflict erupted and as a result, there has been an influx of citizens of the Democratic Republic of the Congo, mainly Hema, seeking asylum in Uganda. As of yesterday, between 25,000 and 30,000 had crossed at Rwebisengo near Fort Portal and another 25,000 to 30,000 at Nebbi. It is expected that this inflow will increase. This has resulted in a humanitarian crisis. Hence, the urgent need for food, water and shelter for the refugees. The Uganda Government is, therefore, making this special appeal to the international community for humanitarian assistance. The Government is also inviting you to visit the refugees in order to assess the situation for yourselves.

4. The situation in Ituri is grave and delicate and the Government of Uganda calls upon the United Nations to fully exercise its mandate and expand the role of MONUC from peace monitoring to peace enforcement by moving away from Chapter VI to Chapter VII of the Charter of the United Nations. The Uganda Government further calls upon the Security Council to increase the deployment of MONUC to fill the security vacuum which arose as a result of UPDF withdrawal from Ituri province.



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Letter dated 19 May 2003 from the Permanent Representative of Mexico to the United Nations addressed to the President of the Security Council

I have the honour to request your kind assistance in distributing the attached correspondence between the Security Council and the International Criminal Court relating to the International Tribunal for Rwanda as a document of the Security Council.

(Signed) Adolfo Aguilar Zinser
Permanent Representative of Mexico to the United Nations



Annex I to the letter dated 19 May 2003 from the Permanent Representative of Mexico to the United Nations addressed to the President of the Security Council

Letter dated 30 April 2003 from the President of the Security Council addressed to the President of the International Criminal Court

I have the honour to attach a letter dated 16 April 2003 from the Secretary-General of the United Nations, forwarding a letter dated 26 March 2003 from the President of the Tribunal for Rwanda, Judge Navanethem Pillay.*

In her letter, President Pillay requests the extension of her term of office until the completion of the *Media* case, expected to finish no later than the end of this year 2003.

The members of the Security Council are aware that, on 4 February 2003, President Pillay was elected a judge of the International Criminal Court by the Assembly of States Parties to the Rome Statute of the International Criminal Court. The members of the Security Council therefore intend to request from President Pillay a written undertaking to be fully available as a judge of the Tribunal for Rwanda, as required by paragraph 3 of article 12 bis of the Tribunal's Statute.

Before the Security Council proceeds to take appropriate action on her request, Council members had asked me to seek your views and advice on this issue in the light of the applicable provisions of the Rome Statute.

(Signed) Adolfo Aguilar Zinser
President of the Security Council

* For the texts of the two letters, see A/57/790-S/2003/431.

Annex II to the letter dated 19 May 2003 from the Permanent Representative of Mexico to the United Nations addressed to the President of the Security Council

Letter dated 2 May 2003 from the Vice-President of the International Criminal Court addressed to the President of the Security Council

I have the honour to refer to your letter addressed to President Philippe Kirsch dated 30 April 2003 regarding the request of Judge Navanethem Pillay, President of the International Tribunal for Rwanda, to extend her term of office at the Tribunal until the completion of the *Media* case, expected to finish no later than the end of this year. As you are aware, President Pillay was elected a judge of the International Criminal Court by the Assembly of States Parties on 4 February 2003. In the above-mentioned letter you sought President Kirsch's view and advice on this issue in the light of the applicable provisions of the Rome Statute.

In accordance with article 35, paragraph 1, of the Rome Statute, all judges of the Court are elected on a permanent basis. However, the Presidency may decide in consultation with its members and taking into account the workload of the Court to what extent judges will be required to serve on a full-time basis. At this time, only the Presidency is serving on a full-time basis.

In the light of the workload as it has been assessed by the Presidency, I have the pleasure to inform you that it is not envisaged that President Pillay will be assigned substantive case work for the Court before the end of this year and that she will therefore not be required to serve on a full-time basis during that time. As an elected judge of the Court, however, President Pillay will be requested to attend the plenary sessions of the Court scheduled for mid-June and end of September.

(Signed) Akua **Kuenyehia**
Vice-President
International Criminal Court



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Letter dated 19 May 2003 from the Permanent Representatives of Germany and the Netherlands to the United Nations addressed to the Secretary-General

We have the pleasure to present to you herewith the report on the work of the International Security Assistance Force in Afghanistan, covering the period from 10 February to 10 May 2003 (see annex).

We should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Gunter Pleuger
Ambassador

(Signed) Dirk Jan van den Berg
Ambassador



Annex to the letter dated 19 May 2003 from the Permanent Representatives of Germany and the Netherlands to the United Nations addressed to the Secretary-General

Quarterly report on progress towards the implementation of the mandate of the International Security Assistance Force in Afghanistan

Summary

The Netherlands and Germany took over the International Security Assistance Force (ISAF) mission as lead nations on 10 February. ISAF III is conducting its mission in conformity with the relevant provisions of the UN mandate and the Bonn Agreement.

The primary effort of the mission is to assist the Afghanistan Transitional Authority (ATA) in maintaining a secure environment in the ISAF Area of Responsibility (AOR). The security situation in the AOR is still calm, but there are concerns regarding the situation outside the AOR, especially in the southern and south-eastern parts of Afghanistan. This could have a negative impact on security in the Kabul area. To counter this threat, ISAF's security concept is based on high visibility and co-operation with Afghan security institutions. This concept has proven to be effective.

The ISAF mission also relates to the development of Afghan security structures. Although the ATA is in charge, the international community (IC) has assumed specific responsibilities with regard to Security Sector Reform (SSR). Key issues in this context are the Disarmament, Demobilisation and Reintegration (DDR) of factional armies, build-up of the Afghan National Army (ANA) and re-establishment of a functioning National Police. The start of DDR is generally considered to be crucial to the success of the reform process. ISAF III contributes to the training of the ANA and the National Police on a limited scale and stands ready to assist with the DDR process in Kabul if so requested by the ATA.

ISAF not only co-operates closely with the national security authorities, but also with Afghan authorities in other sectors. Its extensive Civil Military Co-operation (CIMIC) organisation is well equipped to liaise with Afghan authorities at all levels. To achieve safe and secure Air Lines of Communications for its mission ISAF assists the ATA in the development of Kabul International Airport (KIA). In close consultation with UNAMA ISAF also closely monitors the constitution and election processes as the ATA prepares for the Constitutional Loya Jirga (CLJ) in October 2003 and the General Elections in 2004. If requested ISAF will provide logistical and security support. Since the very beginning ISAF III has developed a good working relationship with US HQ at Bagram (CJTF 180) resulting in close co-ordination of common areas of interest.

The decision of the North Atlantic Council on April 16, 2003, to continue and enhance NATO's support to ISAF, beginning in August 2003, will provide for continuity in the planning and command structure of ISAF.

I. INTRODUCTION.

This report is submitted pursuant to UN Security Council Resolutions 1386 (2001) and 1444 (2002). It covers the period since ISAF III (GE/NL lead) took over on 10 February 2003.

II. FRAMEWORK ISAF III

a. Mandate and mission

The Bonn Agreement of 5 December 2001 states that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves. The international community is requested to support the new Afghan authorities in the establishment and training of new Afghan security and armed forces.

Conscious of the fact that some time may be required for these new Afghan security and armed forces to be fully constituted and functioning, the United Nations Security Council was requested to consider authorising the early deployment of a United Nations mandated force to Afghanistan. This force would assist in the maintenance of security for Kabul and its surrounding areas. It would also be desirable if such a force was to assist in the rehabilitation of Afghanistan's infrastructure.

As a result of the above-mentioned request, the United Nations Security Council authorised in its Resolution 1386, dated the 20th of December 2001, the establishment of an International Security Assistance Force to assist the Afghan Interim Authority in the maintenance of security in Kabul and its surrounding areas, so that the Afghan Interim Authority as well as personnel of the United Nations can operate in a secure environment. The Council also authorised the Member States participating in the International Security Assistance Force, to take all necessary measures to fulfil its mandate. In its Resolution 1444, dated the 27th of November 2002, the United Nations Security Council decided to extend the authorisation for a period of one year beyond the 20th of December 2002.

A Memorandum of Understanding (MOU) concerning command arrangements and related matters in the International Security Assistance Force (ISAF) Afghanistan and arrangements by which the Participants will implement and establish ISAF, was drafted. It defines responsibilities, general principles and procedures as appropriate. All participating nations in ISAF III accepted and acknowledged the provisions of the Military Technical Agreement (MTA) between the International Security Assistance Force and the Transitional Administration of Afghanistan attached to the MOU. This MTA depicts the necessary support and technical arrangements for ISAF to conduct its operations and outlines the responsibilities of the Interim Administration in relation to ISAF. In addition, within the MTA the exact AOR for ISAF is defined.

On the basis of these documents the Federal Republic of Germany and The Kingdom of The Netherlands, both acting as lead nations for the International Security Assistance Force in Afghanistan, formulated the mission for ISAF III, which reads as follows:

ISAF III is to assist the ATA in maintaining security within the ISAF area of responsibility (AOR) so that the ATA, as well as United Nations personnel, can operate in a secure environment in order to enable the ATA the build-up of security structures in Afghanistan in accordance with the Bonn Agreement and as agreed in the Military Technical Agreement.

b. Participating nations / contingents

ISAF currently consists of 29 troop contributing nations. In total the operational establishment of ISAF is about 5,400 personnel. Within this established structure the Kabul Multinational Brigade (KMNB) is the main operating force of ISAF, consisting of approximately 3,100 personnel divided over 25 nations and three battle groups. These forces allow ISAF to conduct its current military tasks within the Kabul AOR and to assist the Afghan authorities.

c. ISAF III structure

The ISAF III command and organisational structure consists of the HQ ISAF with its own Communication- and Information Systems (CIS) and Staff Support Battalions, a CIMIC Co-ordination Centre, Force Liaison elements, HUMINT teams, a Special Reconnaissance unit, the Kabul Multinational Brigade (KMNB) and a Task Force to operate the military part of Kabul International Airport (KIA). The Bundeswehr Operational Command with its bi-national German and Netherlands manned ISAF Operation Co-ordination Centre (IOCC) functions as the higher echelon for HQ ISAF. Troop contributing nations are consulted about all relevant issues during the monthly meetings of the Committee of Contributors to ISAF held in The Hague.

III. SECURITY

a. Overall security situation

ISAF's Area of Responsibility (AOR) remains relatively calm. There has been a drop in crime levels. In Kabul there is general support for the efforts of the central government and security forces as well as ISAF. It is assessed that the main threat to the security situation is coming from the East and South Eastern direction and from supporters of radical and terrorist groups already residing in Kabul.

Incidents with unexploded ordnance (UXOs) and improvised explosive devices (IEDs) and attacks with several 107mm rockets having been fired on the outskirts of Kabul in the general direction of the ISAF-led Camp Warehouse (Kabul Multinational Brigade) and the US-led Kabul Military Training Centre (KMTC) demonstrate the existence a persistent threat. Attacks gained a new quality when ISAF forces were deliberately targeted in a roadside bomb attack on an ISAF patrol on 7 March and an

orchestrated attack with two 122mm rockets on 30 March, one of which hit the HQ ISAF compound causing minor damage to infrastructure. Although the number of attacks has slightly declined recently, the apparent direct targeting of ISAF remains worrying.

b. Threat assessment

For the ISAF mission the districts in the East, Southeast and South of Kabul are at present the areas of greatest concern. These areas are used as main transit routes for anti-ATA operatives coming from Eastern and Southern Afghan provinces with a view to entering the Kabul City and conduct anti-ATA activities as well as staging grounds for attacks. The levels of criminal activity in these areas are considered high. Additionally, a large number of weapon caches containing weapons, ammunition and explosives remain there, thus facilitating activities of anti-ATA elements. This situation requires the highest level of vigilance of those responsible for security in Kabul.

c. ISAF Security Activities

The main focus of ISAF operations is the conduct of military patrols which, as far as the centre of Kabul is concerned, are primarily executed dismounted (on foot). On average 70 security patrols are executed in a 24-hour period while a sufficient reserve capacity for surge operations is retained. A quarter of these patrols are conducted jointly with Afghan police. In addition to the patrols reconnaissance assets are deployed throughout the AOR, considerably improving ISAF's situational awareness.

ISAF III forces continue to provide direct support and a variety of security assistance (advisory) services for public events, such as conducting explosive ordnance checks and operating Joint Command Posts with Afghan security authorities for international conferences, fairs and visits of foreign dignitaries.

The ISAF explosive ordnance disposal teams successfully assist in the collection of weapons and ammunition, including rockets and unexploded ordnance. In the reporting period ISAF explosive ordnance disposal teams collected and destroyed more than 68.000 rounds of unexploded ordnance.

d. Contingency Planning

Recognising the fact that the situation in theatre may change and ISAF may be facing new or additional challenges, ISAF HQ has developed appropriate contingency plans.

For instance, ISAF might be called upon by the ATA, through UNAMA, to assist – even outside of its AOR - in case of a humanitarian disaster. Upon authorisation the ISAF contingency plan "Humanitarian Disaster" allows for immediate disaster relief by ISAF forces using available assets including air transport if necessary, while at the same time continuing the primary ISAF mission in the ISAF AOR. Depending on possible national caveats and national decision-making, ISAF is able and prepared to assist

in immediate disaster relief with its air transport, engineer and medical capabilities to bridge the gap until other organisations are positioned to take over.

In the event of a negative development of the security situation, ISAF is poised to execute its contingency plan "Emergencies or a Deteriorating Security Environment". Basically, ISAF will seek to continue its usual mission profile for as long as possible, whilst exploring every possibility to halt and reverse the deterioration. In case of a critical deterioration ISAF will re-focus its operations to ensure that ATA, UNAMA and other essential agencies can continue to operate.

Prior to executing any Non-Combatant Extraction Operation (NEO) ISAF will seize every opportunity to stabilise the security environment in the ISAF AOR, while preserving ISAF freedom of manoeuvre.

The contingency plans have been developed in close co-ordination with all relevant parties in Kabul.

IV. COOPERATION WITH AFGHAN AUTHORITIES

a. Civil Military Co-operation (CIMIC)

ISAF's current CIMIC structure allows for extensive liaison and co-operation with Afghan authorities from ministry level down to the local level through maliks and mayors. It also maintains close relations with authorities in the sectors of education, police, health and agriculture. This multilevel and multidisciplinary liaison is also reflected in ISAF CIMIC co-operation, particularly with UNAMA as well as other IOs and NGOs. Besides achieving increased local trust in ISAF throughout the AOR, this network increases ISAF's insight in the development of Kabul's social situation, thus increasing the ability to prioritise support operations prudently.

The ISAF CIMIC staff has so far finalised overall assessments on the areas returnees, waste, sanitation, health, education and electric power supply. The CIMIC staff has planned an additional assessment of the labour market. Project priorities have so far been health, education and water, project sizes range from small quick impact projects to high visibility projects demanding budgets of up to 200 000 USD. Priorities, however, have to be set taking into account donor demands. Main donors are the European Union and several European countries. The funding situation has been scarce through the winter as promised funding has been delayed. The situation is now satisfactory.

CIMIC activities clearly strengthen local understanding of ISAF as a security assistance force. The co-operation between the CIMIC teams and the local organisations are excellent.

b. Contribution to development of the security structures

Primary responsibility for the security in Afghanistan lies with the ATA. ISAF assists where applicable and advises to help build the security structures. ISAF's attention is thus focussed on close co-operation and co-ordination with the proper Afghan authorities on the one hand, and the relevant actors from the IC on the other. ISAF III is a member of the Security Sector Reform Working Group (SSR WG) consisting of the concerned lead nations and UNAMA and is actively involved, in varying degrees, in the activities under consideration there. ISAF III also acts as the convening authority for the Joint Co-ordinating Body (JCB) consisting of COMISAF, senior Afghan security officials and the SRSG UN. The JCB reviews security issues and policies in Kabul.

Key players in the field of security in Afghanistan are the Ministries of the Interior and Defence as well as the National Department of Security (NDS). Under chairmanship of ISAF III high representatives of these institutions convene in a joint security assessment group to assess the threat situation in Afghanistan in general and in Kabul in particular on a regular basis. The results are then reported to the JCB. These assessments will serve as a basis for further development of a more consolidated security concept.

Key issue with regard to SSR is the disarmament, demobilisation and reintegration (DDR) of factional armies. The ATA is in the lead and has to decide where and when the DDR process will start. ISAF is prepared and willing to assist in the DDR process within its means and capabilities and within its AOR, if so requested by the ATA.

Closely linked to the DDR process is the status of the Afghan Military Forces (AMF) in view of the pledge of the participants in the UN Talks on Afghanistan to withdraw all military units from Kabul and other urban centres or other areas in which ISAF is deployed. ISAF III has now updated the Locations of Military Bases within Kabul (Annex C to Military Technical Agreement as of January 2002) and completed an inventory of all units and their strength. This provides a sound basis for the DDR process in the Kabul area.

The establishment of new security forces loyal to the central government is vital to the development of Afghanistan. For this reason ISAF supports the training of the National Police Force and of the new Afghan National Army on a limited scale in close co-operation with the respective lead nations US and Germany through their local representatives and the responsible Afghan ministries.

c. Specific Challenges

Kabul International Airport (KIA)

Achieving safe and secure Airlines of Communications (ALOC) for ISAF, while simultaneously promoting adherence to accepted international standards for Kabul International Airport (KIA) and the airspace of

Afghanistan are the most important prerequisites for the sustainability of ISAF as well as the political and economical recovery of Afghanistan.

The current situation at KIA is far from meeting accepted international standards for Air Operations (i.e. airspace control, infrastructure, unexploded ordnance (UXO) and mines, and security).

Ultimately, the responsibility lies with the Afghan government, namely with the Ministry of Civil Aviation and Tourism (MOCAT). ISAF's goal is to continue its active participation in working groups and committees, to contribute with advice and assistance to the respective Afghan authorities to the maximum extent possible, and within its means to foster security, safety and development at KIA.

Constitutional Process

The Afghan government has planned the Constitutional Loya Jirga (CLJ) for the period 1 - 25 October 2003. The preparations of the CLJ itself will require a timely review of options with regard to location, facilities and security arrangements. ISAF III stands ready to assist the ATA and UNAMA substantially in this regard. As the constitutional process so far is already facing delays, an appropriate timeframe for comprehensive logistical preparations has to be agreed upon fairly quickly. In view of the handover to ISAF IV in August and the need for continuity, these preparations should be well under way by that time. ISAF is in close contact with the Constitutional Support Unit of UNAMA to keep track of the process and to support the process where feasible.

General Elections

The Bonn agreement stipulates that general elections should take place not later than 24 months after the 'Emergency Loya Jirga' which was held in June 2001. ISAF is prepared to assist the ATA in preparing the General Elections and therefore will stay in close contact with the UNAMA Electoral Unit.

Operation Enduring Freedom

Although OEF and ISAF are separate operations, improved co-ordination and co-operation between the headquarters of the two operations has been achieved. A bi-monthly co-ordination working group was established and joint procedures were developed to co-ordinate several aspects of daily and emergency operations. Both commanders meet on a regular basis.

V. OVERALL JUDGEMENT

Since the last ISAF report to the UN Security Council ISAF has been able to ensure continuity in the execution of ISAF's core activities related to the enhancement of safety and security in its AOR. Concurrently, COM ISAF is engaged in a process of continuous consultations with the main political and

military authorities and key representatives of the international community in Kabul, in particular the SRSG UN, Mr. Lakhdar Brahimi. These consultations ensure an alignment of the full range of ISAF operations and resources with the relevant activities of other parties concerned and aim at facilitating an optimised ISAF support to the implementation of core elements of the Bonn peace process. Ultimately, COMISAF sees ISAF III as a catalyst to help keep the Bonn process on track.

In the reporting period the overall security in Kabul has remained by and large stable and virtually similar to that in the preceding period. There have been only slight indications of political agitation or increased terrorist activity related to the war in Iraq. It seems clear, however, that the increasing instability and rising number of incidents in the South and Southeast of Afghanistan could, in a number of ways, converge on the larger Kabul area and pose a threat to the stability in ISAF's AOR. If this countrywide trend goes unchallenged this could have a negative impact on the preparations for the national elections and the Constitutional Loya Jirga. This could constitute a serious setback for the Bonn process. At the same time processes of institutional rebuilding and reform (DDR, reform MoD in particular) have progressed conceptually but seem to have stalled operationally.

For the remaining period of the mandate ISAF III will, in this context, focus on providing the maximum support within means and capabilities. Given the duration of its tenure and the operational status of the main activities under the Bonn Agreement, ISAF III has to plan slightly beyond the horizon of 10 August in order to guarantee a smooth takeover by ISAF IV.

VI WAY AHEAD

ISAF III will continue to carry out its operational concept, the main thrust of which is to assist in ensuring a safe environment. At the same time ISAF will act as a catalyst for reconstituting and improving the situation in the security sector within its means and mandate. Security is key to the further development of the country. The role of ISAF and other coalition forces must be handed over to Afghan security forces as soon as possible. Much hard work, energy and substantial resources are necessary to create security forces under command and control of central government institutions. ISAF will continue to do its part to achieving this goal.

**Security Council**

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**Spain, United Kingdom of Great Britain and Northern Ireland
and United States of America: draft resolution**

The Security Council,

Recalling all its previous relevant resolutions,

Reaffirming the sovereignty and territorial integrity of Iraq,

Reaffirming also the importance of the disarmament of Iraqi weapons of mass destruction and of eventual confirmation of the disarmament of Iraq,

Stressing the right of the Iraqi people freely to determine their own political future and control their own natural resources, *welcoming* the commitment of all parties concerned to support the creation of an environment in which they may do so as soon as possible, and *expressing* resolve that the day when Iraqis govern themselves must come quickly,

Encouraging efforts by the people of Iraq to form a representative government based on the rule of law that affords equal rights and justice to all Iraqi citizens without regard to ethnicity, religion, or gender, and, in this connection, *recalls* resolution 1325 (2000) of 31 October 2000,

Welcoming the first steps of the Iraqi people in this regard, and *noting* in this connection the 15 April 2003 Nasiriyah statement and the 28 April 2003 Baghdad statement,

Resolved that the United Nations should play a vital role in humanitarian relief, the reconstruction of Iraq, and the restoration and establishment of national and local institutions for representative governance,

Noting the statement of 12 April 2003 by the Ministers of Finance and Central Bank Governors of the Group of Seven Industrialized Nations in which the members recognized the need for a multilateral effort to help rebuild and develop Iraq and for the need for assistance from the International Monetary Fund and the World Bank in these efforts,

Welcoming also the resumption of humanitarian assistance and the continuing efforts of the Secretary-General and the specialized agencies to provide food and medicine to the people of Iraq,

Welcoming the appointment by the Secretary-General of his Special Adviser on Iraq,



Affirming the need for accountability for crimes and atrocities committed by the previous Iraqi regime,

Stressing the need for respect for the archaeological, historical, cultural, and religious heritage of Iraq, and for the continued protection of archaeological, historical, cultural, and religious sites, museums, libraries, and monuments,

Noting the letter of 8 May 2003 from the Permanent Representatives of the United States of America and the United Kingdom of Great Britain and Northern Ireland to the President of the Security Council (S/2003/538) and recognizing the specific authorities, responsibilities, and obligations under applicable international law of these states as occupying powers under unified command (the "Authority"),

Noting further that other States that are not occupying powers are working now or in the future may work under the Authority,

Welcoming further the willingness of Member States to contribute to stability and security in Iraq by contributing personnel, equipment, and other resources under the Authority,

Concerned that many Kuwaitis and Third-State Nationals still are not accounted for since 2 August 1990,

Determining that the situation in Iraq, although improved, continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Appeals* to Member States and concerned organizations to assist the people of Iraq in their efforts to reform their institutions and rebuild their country, and to contribute to conditions of stability and security in Iraq in accordance with this resolution;

2. *Calls upon* all Member States in a position to do so to respond immediately to the humanitarian appeals of the United Nations and other international organizations for Iraq and to help meet the humanitarian and other needs of the Iraqi people by providing food, medical supplies, and resources necessary for reconstruction and rehabilitation of Iraq's economic infrastructure;

3. *Appeals* to Member States to deny safe haven to those members of the previous Iraqi regime who are alleged to be responsible for crimes and atrocities and to support actions to bring them to justice;

4. *Calls upon* the Authority, consistent with the Charter of the United Nations and other relevant international law, to promote the welfare of the Iraqi people through the effective administration of the territory, including in particular working towards the restoration of conditions of security and stability and the creation of conditions in which the Iraqi people can freely determine their own political future;

5. *Calls upon* all concerned to comply fully with their obligations under international law including in particular the Geneva Conventions of 1949 and the Hague Regulations of 1907;

6. *Calls upon* the Authority and relevant organizations and individuals to continue efforts to locate, identify, and repatriate all Kuwaiti and Third-State Nationals or the remains of those present in Iraq on or after 2 August 1990, as well

as the Kuwaiti archives, that the previous Iraqi regime failed to undertake, and, in this regard, *directs* the High-Level Coordinator, in consultation with the International Committee of the Red Cross and the Tripartite Commission and with the appropriate support of the people of Iraq and in coordination with the Authority, to take steps to fulfil his mandate with respect to the fate of Kuwaiti and Third-State National missing persons and property;

7. *Decides* that all Member States shall take appropriate steps to facilitate the safe return to Iraqi institutions of Iraqi cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from the Iraq National Museum, the National Library, and other locations in Iraq since the adoption of resolution 661 (1990) of 6 August 1990, including by establishing a prohibition on trade in or transfer of such items and items with respect to which reasonable suspicion exists that they have been illegally removed, and *calls upon* the United Nations Educational, Scientific, and Cultural Organization, Interpol, and other international organizations, as appropriate, to assist in the implementation of this paragraph;

8. *Requests* the Secretary-General to appoint a Special Representative for Iraq whose independent responsibilities shall involve reporting regularly to the Council on his activities under this resolution, coordinating activities of the United Nations in post-conflict processes in Iraq, coordinating among United Nations and international agencies engaged in humanitarian assistance and reconstruction activities in Iraq, and, in coordination with the Authority, assisting the people of Iraq through:

(a) coordinating humanitarian and reconstruction assistance by United Nations agencies and between United Nations agencies and non-governmental organizations;

(b) promoting the safe, orderly, and voluntary return of refugees and displaced persons;

(c) working intensively with the Authority, the people of Iraq, and others concerned to advance efforts to restore and establish national and local institutions for representative governance, including by working together to facilitate a process leading to an internationally recognized, representative government of Iraq;

(d) facilitating the reconstruction of key infrastructure, in cooperation with other international organizations;

(e) promoting economic reconstruction and the conditions for sustainable development, including through coordination with national and regional organizations, as appropriate, civil society, donors, and the international financial institutions;

(f) encouraging international efforts to contribute to basic civilian administration functions;

(g) promoting the protection of human rights;

(h) encouraging international efforts to rebuild the capacity of the Iraqi civilian police force; and

(i) encouraging international efforts to promote legal and judicial reform;

9. *Supports* the formation, by the people of Iraq with the help of the Authority and working with the Special Representative, of an Iraqi interim administration as a transitional administration run by Iraqis, until an internationally recognized, representative government is established by the people of Iraq and assumes the responsibilities of the Authority;

10. *Decides* that, with the exception of prohibitions related to the sale or supply to Iraq of arms and related materiel other than those arms and related materiel required by the Authority to serve the purposes of this and other related resolutions, all prohibitions related to trade with Iraq and the provision of financial or economic resources to Iraq established by resolution 661 (1990) and subsequent relevant resolutions, including resolution 778 (1992) of 2 October 1992, shall no longer apply;

11. *Reaffirms* that Iraq must meet its disarmament obligations, *encourages* the United Kingdom of Great Britain and Northern Ireland and the United States of America to keep the Council informed of their activities in this regard, and *underlines* the intention of the Council to revisit the mandates of the United Nations Monitoring, Verification, and Inspection Commission and the International Atomic Energy Agency as set forth in resolutions 687 (1991) of 3 April 1991, 1284 (1999) of 17 December 1999, and 1441 (2002) of 8 November 2002;

12. *Notes* the establishment of a Development Fund for Iraq to be held by the Central Bank of Iraq and to be audited by independent public accountants approved by the International Advisory and Monitoring Board of the Development Fund for Iraq and looks forward to the early meeting of that International Advisory and Monitoring Board, whose members shall include duly qualified representatives of the Secretary-General, of the Managing Director of the International Monetary Fund, of the Director-General of the Arab Fund for Social and Economic Development, and of the President of the World Bank;

13. *Notes further* that the funds in the Development Fund for Iraq shall be disbursed at the direction of the Authority, in consultation with the Iraqi interim administration, for the purposes set out in paragraph 14 below;

14. *Underlines* that the Development Fund for Iraq shall be used in a transparent manner to meet the humanitarian needs of the Iraqi people, for the economic reconstruction and repair of Iraq's infrastructure, for the continued disarmament of Iraq, and for the costs of Iraqi civilian administration, and for other purposes benefiting the people of Iraq;

15. *Calls upon* the international financial institutions to assist the people of Iraq in the reconstruction and development of their economy and to facilitate assistance by the broader donor community, and *welcomes* the readiness of creditors, including those of the Paris Club, to seek a solution to Iraq's sovereign debt problems;

16. *Requests* also that the Secretary-General, in coordination with the Authority, continue the exercise of his responsibilities under Security Council resolution 1472 (2003) of 28 March 2003 and 1476 (2003) of 24 April 2003, for a period of six months following the adoption of this resolution, and terminate within this time period, in the most cost effective manner, the ongoing operations of the "Oil-for-Food" Programme (the "Programme"), both at headquarters level and in the field, transferring responsibility for the administration of any remaining activity

under the Programme to the Authority, including by taking the following necessary measures:

- (a) to facilitate as soon as possible the shipment and authenticated delivery of priority civilian goods as identified by the Secretary-General and representatives designated by him, in coordination with the Authority and the Iraqi interim administration, under approved and funded contracts previously concluded by the previous Government of Iraq, for the humanitarian relief of the people of Iraq, including, as necessary, negotiating adjustments in the terms or conditions of these contracts and respective letters of credit as set forth in paragraph 4 (d) of resolution 1472 (2003);
- (b) to review, in light of changed circumstances, in coordination with the Authority and the Iraqi interim administration, the relative utility of each approved and funded contract with a view to determining whether such contracts contain items required to meet the needs of the people of Iraq both now and during reconstruction, and to postpone action on those contracts determined to be of questionable utility and the respective letters of credit until an internationally recognized, representative government of Iraq is in a position to make its own determination as to whether such contracts shall be fulfilled;
- (c) to provide the Security Council within 21 days following the adoption of this resolution, for the Security Council's review and consideration, an estimated operating budget based on funds already set aside in the account established pursuant to paragraph 8 (d) of resolution 986 (1995) of 14 April 1995, identifying:
 - (i) all known and projected costs to the United Nations required to ensure the continued functioning of the activities associated with implementation of the present resolution, including operating and administrative expenses associated with the relevant United Nations agencies and programmes responsible for the implementation of the Programme both at Headquarters and in the field;
 - (ii) all known and projected costs associated with termination of the Programme;
 - (iii) all known and projected costs associated with restoring Government of Iraq funds that were provided by Member States to the Secretary-General as requested in paragraph 1 of resolution 778 (1992); and
 - (iv) all known and projected costs associated with the Special Representative and the qualified representative of the Secretary-General identified to serve on the International Advisory and Monitoring Board, for the six month time period defined above, following which these costs shall be borne by the United Nations;
- (d) to consolidate into a single fund the accounts established pursuant to paragraphs 8 (a) and 8 (b) of resolution 986 (1995);
- (e) to fulfil all remaining obligations related to the termination of the Programme, including negotiating, in the most cost effective manner, any necessary settlement payments, which shall be made from the escrow accounts established pursuant to paragraphs 8 (a) and 8 (b) of resolution 986 (1995), with those parties that previously have entered into contractual obligations with the Secretary-General under the Programme, and to determine, in coordination with the Authority and the

Iraqi interim administration, the future status of contracts undertaken by the United Nations and related United Nations agencies under the accounts established pursuant to paragraphs 8 (b) and 8 (d) of resolution 986 (1995);

(f) to provide the Security Council, 30 days prior to the termination of the Programme, with a comprehensive strategy developed in close coordination with the Authority and the Iraqi interim administration that would lead to the delivery of all relevant documentation and the transfer of all operational responsibility of the Programme to the Authority;

17. *Requests further* that the Secretary-General transfer as soon as possible to the Development Fund for Iraq 1 billion United States dollars from unencumbered funds in the accounts established pursuant to paragraphs 8 (a) and 8 (b) of resolution 986 (1995), restore Government of Iraq funds that were provided by Member States to the Secretary-General as requested in paragraph 1 of resolution 778 (1992), and *decides* that, after deducting all relevant United Nations expenses associated with the shipment of authorized contracts and costs to the Programme outlined in paragraph 16 (c) above, including residual obligations, all surplus funds in the escrow accounts established pursuant to paragraphs 8 (a), 8 (b), 8 (d), and 8 (f) of resolution 986 (1995) shall be transferred at the earliest possible time to the Development Fund for Iraq;

18. *Decides* to terminate effective on the adoption of this resolution the functions related to the observation and monitoring activities undertaken by the Secretary-General under the Programme, including the monitoring of the export of petroleum and petroleum products from Iraq;

19. *Decides* to terminate the Committee established pursuant to paragraph 6 of resolution 661 (1990) at the conclusion of the six month period called for in paragraph 16 above and *further decides* that the Committee shall identify individuals and entities referred to in paragraph 23 below;

20. *Decides* that all export sales of petroleum, petroleum products, and natural gas from Iraq following the date of the adoption of this resolution shall be made consistent with prevailing international market best practices, to be audited by independent public accountants reporting to the International Advisory and Monitoring Board referred to in paragraph 12 above in order to ensure transparency, and *decides further* that, except as provided in paragraph 21 below, all proceeds from such sales shall be deposited into the Development Fund for Iraq until such time as an internationally recognized, representative government of Iraq is properly constituted;

21. *Decides further* that 5 percent of the proceeds referred to in paragraph 20 above shall be deposited into the Compensation Fund established in accordance with resolution 687 (1991) and subsequent relevant resolutions and that, unless an internationally recognized, representative government of Iraq and the Governing Council of the United Nations Compensation Commission, in the exercise of its authority over methods of ensuring that payments are made into the Compensation Fund, decide otherwise, this requirement shall be binding on a properly constituted, internationally recognized, representative government of Iraq and any successor thereto;

22. *Noting* the relevance of the establishment of an internationally recognized, representative government of Iraq and the desirability of prompt completion of the restructuring of Iraq's debt as referred to in paragraph 15 above, further *decides* that, until December 31, 2007, unless the Council decides otherwise, petroleum, petroleum products, and natural gas originating in Iraq shall be immune, until title passes to the initial purchaser from legal proceedings against them and not be subject to any form of attachment, garnishment, or execution, and that all States shall take any steps that may be necessary under their respective domestic legal systems to assure this protection, and that proceeds and obligations arising from sales thereof, as well as the Development Fund for Iraq, shall enjoy privileges and immunities equivalent to those enjoyed by the United Nations except that the above-mentioned privileges and immunities will not apply with respect to any legal proceeding in which recourse to such proceeds or obligations is necessary to satisfy liability for damages assessed in connection with an ecological accident, including an oil spill, that occurs after the date of adoption of this resolution;

23. *Decides* that all Member States in which there are:

(a) funds or other financial assets or economic resources of the previous Government of Iraq or its state bodies, corporations, or agencies, located outside Iraq as of the date of this resolution, or

(b) funds or other financial assets or economic resources that have been removed from Iraq, or acquired, by Saddam Hussein or other senior officials of the former Iraqi regime and their immediate family members, including entities owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction,

shall freeze without delay those funds or other financial assets or economic resources and, unless these funds or other financial assets or economic resources are themselves the subject of a prior judicial, administrative, or arbitral lien or judgement, immediately shall cause their transfer to the Development Fund for Iraq, it being understood that, unless otherwise addressed, claims made by private individuals or non-government entities on those transferred funds or other financial assets may be presented to the internationally recognized, representative government of Iraq; and *decides further* that all such funds or other financial assets or economic resources shall enjoy the same privileges, immunities, and protections as provided under paragraph 22;

24. *Requests* the Secretary-General to report to the Council at regular intervals on the work of the Special Representative with respect to the implementation of this resolution and on the work of the International Advisory and Monitoring Board and *encourages* the United Kingdom of Great Britain and Northern Ireland and the United States of America to inform the Council at regular intervals of their efforts under this resolution;

25. *Decides* to review the implementation of this resolution within twelve months of adoption and to consider further steps that might be necessary;

26. *Calls upon* Member States and international and regional organizations to contribute to the implementation of this resolution;

27. *Decides* to remain seized of this matter.

**General Assembly
Security Council**Distr.: General
20 May 2003

Original: English

General Assembly
Fifty-seventh session
Agenda items 36 and 160**Security Council**
Fifty-eighth year**The situation in the Middle East****Measures to eliminate international terrorism****Letter dated 19 May 2003 from the Permanent Representative of
Israel to the United Nations addressed to the Secretary-General**

I am compelled to write to you again following a new wave of murderous Palestinian attacks against innocent Israeli citizens.

Over the past three days there have been no less than five homicide bombings targeting Israeli citizens. On Saturday, 17 May, a Palestinian terrorist, dressed as an orthodox Jew, approached a young Israeli couple strolling in Gross Square in Hebron and detonated his explosives, killing Gadi Levy and his pregnant wife, Dina Levy. The terrorist organization Hamas, which operates freely from Palestinian Authority territory, claimed responsibility for the attack.

On Sunday, 18 May, shortly before 6 in the morning, near the French Hill neighbourhood in Jerusalem, a homicide bomber, dressed as an orthodox Jew, blew himself up on a crowded civilian bus. This horrific bombing left seven civilians dead and wounded at least 20 others. The dead are: Shimon Ostinsky, Nellie Perov, Olga Brenner, Marina Tzachivirshvili, Yitzhak Moyial, Roni Yisraeli, and Raleb Tawil, a Palestinian from Shoafat. Just half an hour later, a second Palestinian bomber was intercepted as he attempted to perpetrate yet another terrorist attack in northern Jerusalem. Hamas also claimed responsibility for these two attacks.

The following day, Monday, 19 May, a Palestinian terrorist on a bicycle detonated explosives next to a military jeep near Kfar Darom, in the southern Gaza Strip. Three Israeli soldiers were injured in the blast, which killed the bomber. Hamas again claimed responsibility for this fourth attack. Later that same day a female Palestinian homicide bomber blew herself up at the entrance to the Shaarei Amakim Mall in the Israeli city of Afula. This reprehensible act of murder left three Israeli citizens dead and approximately 47 wounded. Had it not been for the efforts of an Israeli security guard who prevented the bomber from entering the shopping mall, the toll in death and injured would have been far greater. The names of those murdered in the attack are Hassan Ismail Tawatha of Jisr a-Zarqa and Avi Zrihan of Beit Shean. The name of the security guard has not yet been released. Islamic Jihad



and Chairman Arafat's Fatah Al Aqsa Martyrs' Brigade both claimed responsibility for this attack.

In the last few days, with horrific terrorist attacks perpetrated in various countries around the world, we have seen once again the global nature of the terrorist threat. As Israel has repeatedly warned, terrorism anywhere is a threat to civilians everywhere. Tolerance for terrorism in one region will only strengthen the terrorist network, and increase the threat to international peace and security. We therefore reiterate our call to the international community to accept nothing less than the complete dismantling of the Palestinian terrorist infrastructure in accordance with its legal and moral obligations, as a necessary and vital precondition for peace for both the Israeli and Palestinian peoples.

The carnage and terror created by these recent Palestinian terrorist attacks demonstrate, once again, the major obstacle which prevents the resumption of a meaningful peace process. Palestinian terrorist groups, operating without any hindrance from Palestinian Authority areas, and enjoying the support of the Palestinian leadership, remain determined to murder Israeli civilians and to prevent the creation of an environment, free from terrorism and violence, which is necessary for peaceful dialogue. Unless and until the Palestinian leadership ceases its support and glorification of such terrorism, and takes real steps to dismantle the terrorist organizations and their infrastructure, all condemnations of terror and Palestinian talk of commitment to a peaceful settlement are utterly meaningless.

Israel cannot accept declaration and speeches by those who claim they want peace without definitive steps on the ground which demonstrate that these are not just empty words designed to placate western audiences and deceive the international community, while practical support for terrorism, by actions and omissions, continues unabated. The obligation of the Palestinian leadership and other regimes in the region to end the morally bankrupt strategy of terrorism is not conditional; such support is unjustifiable, morally reprehensible and illegal and must be eradicated immediately in order to convince the international community, and the Israeli and Palestinian people, that the tactic of double-talk and deception has finally been rejected. To this day, not a single step has been taken to prevent terrorism, and Israeli citizens continue to be deliberately targeted for murder.

The State of Israel is eager to live in peace with its neighbours and has proved its commitment to make painful compromises to that end. However, such murderous attacks prevent any chance of these hopes coming to fruition. Until such time as the Palestinian side, and the regimes which sponsor terror in the region, live up to their obligations under international law, Security Council resolutions and signed agreements to decisively fight the culture of terrorism and incitement that they have nurtured for so many years, Israel will be compelled to take the necessary defensive measures to protect its civilians. This is not a time for declarations. It is a time for action.

I submit this letter in follow-up to the many other letters we have submitted detailing the Palestinian terrorist campaign, which document the murder of innocent civilians through a sustained terrorist strategy in violation of all legal obligations and for which the terrorists and their supporters must be held fully accountable.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the fifty-seventh session of the General Assembly, under agenda items 36 and 160, and of the Security Council.

(Signed) Dan **Gillerman**
Ambassador
Permanent Representative

**Security Council**

Distr.: General
21 May 2003

Original: English

Letter dated 21 May 2003 from the President of the Security Council addressed to the Secretary-General

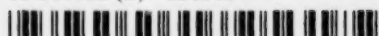
I have the honour to inform you that the members of the Security Council have decided to send a mission to Central Africa from 7 to 16 June 2003, which will be led by Ambassador Jean-Marc de La Sablière. The members of the Council have agreed on the terms of reference of the mission, a copy of which is enclosed herewith (see annex).

Following consultations with the members, it has been agreed that the composition of the mission is as follows:

Ambassador Jean-Marc de La Sablière (France), head of mission
Ambassador Ismael Abraão Gaspar Martins (Angola)
Ambassador Stefan Tafrov (Bulgaria)
Ambassador Martin Chungong Ayafor (Cameroon)
Ambassador Cristián Maquieira (Chile)
Ambassador Zhang Yishan (China)
Minister Michael Freiherr von Ungern-Sternberg (Germany)
Minister Counsellor Boubacar Diallo (Guinea)
Minister María Angélica Arce de Jeannet (Mexico)
Ambassador Masood Khalid (Pakistan)
Ambassador Alexander V. Konuzin (Russian Federation)
Ambassador Ana María Menéndez (Spain)
Ambassador Fayssal Mekdad (Syrian Arab Republic)
Ambassador Adam Thomson (United Kingdom of Great Britain
and Northern Ireland)
Ambassador John D. Negroponte (United States of America)

I should be grateful if you could have this letter and its annex circulated as a document of the Security Council.

(Signed) Munir Akram
President of the Security Council



Annex

[Original: English and French]

**Terms of reference of the Security Council mission to
Central Africa****Democratic Republic of the Congo**

In general, the mission will emphasize to all its interlocutors the need to take the peace process forward. On this condition all, in the Democratic Republic of the Congo and in the region, may benefit from the strong support the international community, in particular the Security Council, is ready to provide. The mission will accordingly invite the Congolese parties to work resolutely to implement their commitments in the framework of the inter-Congolese dialogue. It will clearly remind the Congolese parties and the country's neighbours of the Council's expectations and their obligations: complete cessation of hostilities; respect for human rights, humanitarian law and the welfare of the civilian population; economic cooperation and other confidence-building measures; withdrawal of foreign forces; no interference; cessation of support to armed groups; cessation of the plundering of the natural resources; access for the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to all parts of the territory. The mission will also press all parties to fully carry out their obligations under relevant Security Council resolutions, including their specific obligations to demilitarize Kisangani, ensure the complete reopening of the Congo River to civilian traffic and provide humanitarian organizations with full access to populations in need.

The mission will stress to the Congolese parties and to the States in the region the value of making progress towards the convening of the proposed international conference on peace, security, democracy and development in the Great Lakes region.

Transition in the Democratic Republic of the Congo

The mission might stress:

(a) The need for all Congolese parties to work for the satisfactory functioning of the transitional government, national reconciliation, reunification of the territory and cessation of hostilities;

(b) The desire of the United Nations system and the Bretton Woods institutions to enhance the capacity of the future transitional government to ensure legal and transparent exploitation of the natural resources of the Democratic Republic of the Congo for the benefit of the Congolese people and to put an end to the repeated plundering described by the Panel of Experts;

(c) The priority to be given by the transitional government to the establishment of institutions responsible for security and law and order (army, police and judiciary);

(d) The necessity for the transitional government to support local initiatives for pacification and reconciliation (Ituri, Kivus).

Role of the United Nations Organization Mission in the Democratic Republic of the Congo

On the basis of the Secretary-General's report on adjusting the concept of MONUC, the mission will evaluate:

- (a) Requirements for taking forward the indispensable process of the disarmament, demobilization, repatriation, resettlement and reintegration of the foreign armed groups;
- (b) The support of MONUC, in collaboration with bilateral partners, in building Congolese security capacities;
- (c) Ways and means for MONUC to assist, in collaboration with other entities of the United Nations and the wider international community, in ensuring security in Kinshasa, the establishment of law and order, the restoration of stability and respect for human rights throughout the country, in particular in Ituri and the Kivus;
- (d) The issue of mutual security for the Democratic Republic of the Congo and its neighbours, in particular in border areas, and the scope for any possible MONUC contribution to addressing this;
- (e) The cooperation of the parties with MONUC and United Nations humanitarian agencies, especially with regard to freedom of movement and unimpeded access;
- (f) Other possible areas of MONUC support for the transition.

Burundi

The mission will express the Security Council's support for the second phase of the transition and the new President, the regional mediators and the African peacekeeping mission, as well as the Implementation Monitoring Committee and the Joint Ceasefire Commission.

The mission will assess what could be the relationship between the United Nations and the African peacekeeping mission.

With all the political parties and armed groups, the mission will stress that:

- (a) There is no alternative to the path laid out in the Arusha peace process;
- (b) Signing peace and ceasefire agreements is not the end state and that there is now a need to work with the new President and the Transitional Government to implement those agreements;
- (c) There is a need for the Burundian parties to actively engage in dialogue in order to agree upon the difficult issues of disarmament, demobilization and reintegration and security sector reform.



Security Council

Distr.: General
20 May 2003

Original: English

Letter dated 20 May 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, I have the honour to convey herewith a letter dated 19 May 2003 from the Permanent Representative of Sierra Leone to the United Nations, forwarding the fifth review of the certificate of origin regime for the export of Sierra Leone diamonds as prepared by the Government of Sierra Leone in compliance with paragraph 2 of resolution 1306 (2000) (see annex).

The Committee would appreciate it if the annexed letter, together with its enclosure, could be brought to the attention of the members of the Security Council and issued as a document of the Security Council.

It should also be noted that the following related communications were issued previously: S/2000/966, S/2000/1151, S/2001/127, S/2001/300, S/2001/794, S/2002/38 and S/2002/826.

(Signed) Adolfo Aguilar Zinser
Chairman

Security Council Committee established pursuant
to resolution 1132 (1997) concerning Sierra Leone



Annex

**Letter dated 19 May 2003 from the Permanent Representative of
Sierra Leone to the United Nations addressed to the Chairman of
the Security Council Committee established pursuant to resolution
1132 (1997) concerning Sierra Leone**

I have the honour to submit herewith, on behalf of the Government of Sierra Leone, its fifth review of the certificate of origin regime for the export of rough and uncut diamonds from Sierra Leone, in accordance with resolution 1306 (2000).

(Signed) Joe Robert Pemagbi
Ambassador
Permanent Representative

Enclosure**Implementation of Security Council resolution 1306 (2000):
fifth review of the certificate of origin regime for the export
of Sierra Leone diamonds****I. Introduction**

1. Since the last review of the operations of the Certificate of Origin pursuant to resolution 1306 (2000), the Government of Sierra Leone has provided the Security Council Committee established pursuant to resolution 1132 (1997), at the Committee's request, with supplementary information on issues related to the implementation of the Certificate of Origin regime. This included requests for clarification arising from allegations contained in the report of the Panel of Experts on Liberia.¹

2. Also, since the last review the Government has provided the Committee with a report on an air patrol conducted in 2002 with logistical support by UNAMSIL over diamond mining areas in the Southern Province. Although it is not a requirement under resolution 1306 (2000), the Government also took the initiative to forward to the Committee another update on disbursements from its Diamond Mining Area Development Fund to local communities where diamonds are mined. As emphasized in the previous reviews, these disbursements are designed to help the chiefdoms in the reconstruction of roads, schools and community centres that were destroyed by the rebels. They also serve as incentives for curbing illicit mining, and as catalysts in the process of consolidating peace in those strategic parts of the country where the rebels plundered the diamonds and committed atrocities as well.

3. The series of communication between the Committee and the Government during the past several months were intended to supplement this the fifth periodic review of the Certification of Origin regime.

4. The Committee may also be interested to know that the Government also responded to a communication from the Chairman of the Liberia Sanctions Committee regarding alleged smuggling of rough diamonds from Liberia into Sierra Leone, as described in the same report of the Panel of Experts.

II. The extent of Government authority in diamond-producing areas**(i) The views of the Secretary-General and the Government**

5. Last December, in resolution 1446 (2002), the Security Council welcomed the significant progress made in the peace process and improvements in the overall security situation in the country, including in the diamond-producing areas. It nevertheless emphasized that the Government of Sierra Leone should strengthen its efforts to extend its authority throughout the country, including the diamond-producing areas. The extent of Government's authority in the country as a whole has already been covered in the

Seventeenth Report of the Secretary-General on the United Nations Mission in Sierra Leone (UNAMSIL).² It is also reflected in the Aide Memoire from President Kabbah addressed to the Secretary-General two months ago, where specific reference was made to *inter alia*, the strength and capability of the Sierra Leone Police Force, and the mechanism already in place to coordinate implementation of the restoration and recovery processes nationwide.³

6. The Mines Office in Kono, which was burnt down by the rebels, has been rebuilt with funds from the Government of Sierra Leone and the UNDP. It is now fully operational. This has greatly enhanced the administration and supervision of the Mines Division of the Ministry of Mineral Resources in Kono. The Mines Office in Bo, in the Southern Province, and in Kenema in the Eastern Province, which had been in operation before the rebel war are now functioning. There is also a Mines Office in Makeni, in the Northern Province. It is temporarily housed in rented premises. Plans are already under way. Plans are already under way to build a structure in Makeni similar to the one in Kono. Plans are also under way to open a branch office in Kamakwie, Northern Province. The Branch Office in Pujehun, in the Southern Province, is open and is already functioning.

7. The Government is pleased that the Secretary-General has taken note with satisfaction further progress made by the Government to restore its effective control over diamond mining, while stressing the importance of Government, in cooperation with its international partners, to step up efforts to fight illegal diamond mining and trade.

(ii) New alluvial diamond mining areas

8. Suffice it to say that in reviewing the progress made in the re-establishment of Government authority in the diamond-mining areas, the Committee should now take into account one of the most significant developments that has emerged in the diamond-mining sector since the last periodic review. This is action being taken in connection with the discovery of new areas of diamond mining in another part of the country, the Northern Province. Thousands of unemployed individuals have been streaming into those areas. As former United States Ambassador to Sierra Leone, John H. Melrose observed last year, the presence of alluvial diamonds creates conditions for such influx of fortune seekers. Under these circumstances, he added, digging for diamonds takes place over wide geographical areas making it particularly difficult to control.⁴ According to the Secretary-General, in some areas youth groups are seeking to exercise de facto control over mining, in defiance of state authority. These observations underscore the problems of trying to establish and maintain absolute control of alluvial diamond deposits.

9. The discovery of the new alluvial areas has obviously impacted on the capacity of the Government to effectively manage illicit mining. Accordingly, it has re-deployed Mine Wardens to the new areas to undertake proper demarcation of mining plots before issuing licences.

(iii) Kimberlite mining and security in diamond mining areas

10. Another major development since the last review of the Certification regime is the exploitation of kimberlite deposits. As is well known, kimberlite mining is much easier to control than alluvial or artisanal mining. A private company, Branch Energy Limited, has started operations at Koidu, Kono, to exploit the kimberlite deposits within its leased area. These operations do not create the security problems usually encountered in alluvial operations. The entire leased area, about 1000 acres, is completely fenced off and made inaccessible to potential illicit miners. Production of kimberlite diamonds is expected to begin in September or October 2003.

(iv) The role of UNAMSIL

11. UNAMSIL continues to play a major role in ensuring that a peaceful atmosphere prevails in the process of re-establishing full civilian administration in the areas. Specifically, it cooperates with the Ministry of Mineral Resources in the organization of joint patrols to locate pockets of suspected illicit mining. It is hoped that this cooperation will continue, and that as the Secretary-General reported, UNAMSIL could further assist the Government in curbing illicit mining using military observers, "to determine the global positioning system coordinates of each of the licenced plots leased for artisanal mining."

III. Marketing

(i) Certificate of Origin under resolution 1306 (2000)

12. The progress achieved in Government control of the diamond-mining areas, a development that the Panel of Experts on Liberia has acknowledged, is reflected in increasing legal mining activity and trade, as well as in the quality and quantity of diamonds exported through the Certificate of Origin system. Mine officials continue to ensure that diamonds won from licenced mining areas are sold to licenced dealers or exporters in strict compliance with resolution 1306 (2000).

13. As of the end of April 2003, a total of 153,292 carats valued at US\$ 23.9 million has been exported through the Government Gold and Diamond Office (GDDO), as compared with 76,291 carats valued at US\$ 8.6 million, and 63,366 carats valued at US\$ 8.2 for the same period in 2002 and 2001 respectively. As predicted, the total export in 2002 was US\$ 41.7 million. To date, five hundred and ninety-nine (599) new certificates of origin have been issued -- about 95% by value exported to Belgium, 1.6% by value to Israel, 1.7 by value to the United Kingdom, and 1% by value to the United States. These are the significant countries of destination. (See attached tables showing exports since the Certification of Origin came into effect in October 2000, and the destination of diamonds from Sierra Leone.)

(ii) International certificate system under the Kimberley Process

14. The Government of Sierra Leone is an active participant in the Kimberley Process. It was one of the 35 countries that instituted the Process formally on 1 January 2003. It is apparent from the US\$ 23.9 million worth of diamonds legally exported during the first four months of the start of the implementation of the Process, that Kimberley has also had a positive impact on the marketing of rough diamonds from Sierra Leone. As the UN General Assembly has recognized, the Kimberley Process can help to ensure the effective implementation of relevant resolutions of the Security Council containing sanctions on the trade in conflict diamonds. If the current trend continues the projected value of Sierra Leone's export for 2003 could range from US\$ 65 million to US \$70 million.

IV. National and international certificate regimes and diamond smuggling

15. Like the Kimberley Process Certification Scheme, the principal objective of the Certificate of Origin for Sierra Leone diamonds, under resolution 1306 (2000), is to substantially reduce the opportunity for diamonds to play a role in fuelling armed conflict while helping to protect the legitimate trade in diamonds. The Government of Sierra Leone continues to share the view that the systems of control which are necessary to reduce or even to eliminate conflict diamonds, as well as the age-old phenomenon of diamond smuggling, should not be limited to the production side. It should cover the entire chain of production and export, import and re-export of rough diamonds.

16. The Government of Sierra Leone concerned over assertions that a considerable amount of diamonds produced in Sierra Leone is smuggled. It is also concerned that specific dollar amounts are being quoted and attached to such illicit trade. Of course, the Government acknowledges its responsibility to take all necessary measures, including strict control, surveillance and monitoring in the diamond-mining areas and the rest of the production/export chain, to curb smuggling. However, responsibility for the 'guesstimated' value of smuggled diamonds lies not only on Sierra Leone, a producing country, which has relatively limited control capability, but more so on importing countries that have sophisticated control mechanisms at their disposal to curb the trade in illicit diamonds.

17. An important conclusion one can draw from such quotations for diamonds allegedly smuggled from Sierra Leone is that the measures contained in paragraph 1 of resolution 1306 (2000) are being violated. In other words, persons and entities outside Sierra Leone continue to buy its diamonds illegally in violation of the resolution and the Government's Certificate of Origin regime.

18. It is most unfortunate that notwithstanding the documented large increase in the quantity and value of diamonds exported through the Certificate of Origin regime, so much attention is being focused on a 'guesstimated' quantity and value of Sierra Leone diamonds that reportedly reach the international market illegally. The Government finds inexplicable the argument that its documented increase in legal diamond exports would

not necessarily result in a decrease of illegal exports, since an overall increase in production could lead to an increase in both legal and illegal diamond exports.

19. As far as the Government is concerned, the marked increase in the value of diamonds exported through the Certificate of Origin regime is commendable and encouraging. The Security Council itself has acknowledged the significance of the positive results of the regime. This development should not be downplayed or submerged under the 'guesstimated' and inaccurate data on illegal exports and re-exports. In this connection it should be recalled that the General Assembly, while expressing concern at the role of illegal diamonds in fuelling conflict, and while recognizing the imperative of taking urgent action to curb the trade in conflict diamonds, has repeatedly noted that the vast majority of rough diamonds produced in the world are from legitimate sources. It should be recalled that in resolution 1306(2000) the Security Council emphasized that nothing in the resolution is intended to undermine the legitimate diamond trade and diminish confidence in the integrity of the legitimate diamond industry.

20. The Security Council recently re-emphasized the responsibility of all States, including the diamond importing countries, for fully implementing the measures prohibited in the resolution. In this connection, the Government of Sierra Leone has welcomed the action taken by the Gambian judiciary last year, to prosecute a Belgian and a Sierra Leonean for illegally dealing in Sierra Leone diamonds.⁵ The Government of Sierra Leone has reported to the Committee two cases, one involving a Ukrainian and the other a German national, of diamond smuggling. The individuals were apprehended, fined and later deported. The diamonds were confiscated. A suspected ring of illicit dealers and smugglers in the Kenema area is under investigation.

21. Since Belgium accounts for 90% of diamonds exported from Sierra Leone, the Government of Sierra Leone also notes with interest that tightening of demands for certification by Belgian authorities have encouraged a number of known and long-standing smugglers to legalize their transactions by requesting certification.⁶ This augurs well for full implementation of resolution 1306 (2000).

22. In March 2003, the Minister of Mineral Resources paid a working visit to the Belgian Ministry of Economic Affairs to discuss issues related to implementation of the Certificate of Origin regime, including clarification of queries that had been reported to the Committee. Both sides agreed to cooperate and remain in close contact to ensure the proper functioning of the regime.

V. Notification of imports from Sierra Leone

23. All along, and as part of the effort to strengthen the regime, Sierra Leone had advocated that countries without the electronic recording and confirmation system should send their import confirmation certificates to the HRD in Belgium for onward transmission to the Government Gold and Diamond Office (GDDO) in Sierra Leone. In this way, Sierra Leone could also keep track of its exports. The reporting countries could also keep track of their legal import of rough diamonds from Sierra Leone. With the new

Kimberley Process Certification System in place the reporting procedure for Sierra Leone diamonds has been significantly enhanced. The publication of latest statistics from Belgium would show the amount of diamonds from Sierra Leone that was accompanied by valid certificates.

VI. The Mining Community Development Fund

24. With the increase in diamond exports, the Committee would be interested to know that the Diamond Area Community Development Fund (DACDF) continues to have a significant impact on the lives of communities affected by diamond-mining. In addition to the funds derived directly from the number of licences issued in each Chiefdom, the UNDP has agreed to assist in the completion of on-going projects initiated by the communities themselves.

VII. Diamond mining policy

25. Although the adoption and implementation of new policies and strategies for its diamond mining sector are not, strictly speaking, the subject of resolution 1306 (2000) other than the requirement that it sets up an effective Certification regime for its diamonds and re-establish control over the diamond mining areas, the Government has taken the initiative to share with the Committee information on relevant policy matters. It should be noted that since the colonial days Sierra Leone has had diamond mining policies that have been amended or modified as and when necessary. For instance, the 1956 Alluvial Diamond Mining Ordinance, which did not apply to the licence held by the Sierra Leone Selection Trust (SLST), paved the way for indigenous participation in diamond production. It has been modified to ensure that the country stays abreast with best practices, and in its own interest. After independence the emphasis was to ensure participation by Sierra Leoneans in what had become a lucrative diamond mining industry. Since 1970 when the Government acquired 51 per cent shares in the Sierra Leone Selection Trust and established the National Diamond Mining Company (NDMC), there have been several modifications and new provisions in Government's policy strategy.

26. The current policy is the 1996 Mines and Minerals Act, which was initially passed as Decree No. 5 by the NPRC military regime in 1994. The Act encapsulates all changes made since 1970. The document was prepared with the assistance of the World Bank.

27. In short, by 1970 the licensing of alluvial diamond mining had become a norm. Thousands of licences were issued, especially in the Southern and Eastern Provinces. This control system was virtually destroyed by the rebel war, starting in 1991. As a result illicit mining became the order of the day. With the end of the war, the situation has changed for the better.

28. However, the Government is currently considering a number of policy options that could further improve the current trend. As the Secretary-General has reported to the Security Council, the Government and the World Bank have already undertaken a comprehensive study including recommendations for the development of the diamond-mining sector. The two recent diamond mining policy workshops sponsored by the UK Department for International Development (DfID), and the World Bank which, among other things examined policy options in the diamond industry, and key issues in the whole mining industry, also reflect Government's commitment to strengthen its ability to play the leading role in the effective exploitation and marketing of its alluvial and kimberlite diamonds and other mineral resources.

29. Of course, national strategies for the management of such a complex industry cannot be adopted and implemented overnight. With the assistance and cooperation of the international community, especially the States and entities that import Sierra Leone diamonds, the Government will continue to give serious attention to the rational exploitation of its diamonds, as well as other mineral resources, for the benefit of its people. As the Sierra Leone delegation to the recent session of the UN Commission on Human Rights stated in emphasizing the need for international cooperation and assistance, Sierra Leone produces beautiful high quality diamonds. However, when a Sierra Leonean man wants to give his fiancée a diamond engagement ring he has to import the ring from abroad.

VIII. Conclusion

30. Security Council resolution 1306 (2000) and the Certificate of Origin for rough and uncut diamonds from Sierra Leone established under the resolution have made a remarkable contribution to the post-war development programmes of the country. With the end of the rebel war, the successful completion of the disarmament and demobilization of ex-combatants, the gradual but consistently determined effort by the Government not only to establish absolute physical control of all current and prospective alluvial diamond mining areas -- an obviously daunting task, given the nature of alluvial deposits -- but also to discourage illicit mining, there is no doubt that the Certificate of Origin regime is achieving its primary objective.

31. Resolution 1306 (2000) was never intended as a punitive measure or sanctions against Sierra Leone. Indeed, rough diamonds controlled by the Government through the Certificate of Origin regime are exempt from the measures imposed in paragraph 1 of the resolution. The resolution was intended to assist Sierra Leone on the basis of the Council's "concern at the role played by the illicit trade in diamonds in fuelling the [rebel] conflict in Sierra Leone, and at reports that such diamonds transit neighbouring countries, including Liberia." For this, the Government is grateful to the Security Council and the international community.

32. Liberia is yet to establish a credible, effective, and internationally verifiable Certificate of Origin regime for its diamonds. However, there are no longer reports of

uncertified Sierra Leonean diamonds transiting through the territory of Liberia. The Panel of Experts on Liberia reports that the imposition of sanctions against Liberia and the progress in the Sierra Leone peace process have resulted in the disappearance of Liberian-labelled rough diamonds from the international market. As the Committee is aware, some of those Liberian-labelled diamonds were in fact Sierra Leonean diamonds smuggled into Liberia, especially by the RUF rebels during the eleven-year rebel war.

33. The effectiveness of the Sierra Leone Certificate of Origin regime, and incidentally that of neighbouring Guinea, has been further strengthened by the establishment of the Kimberley Process Certification Scheme. Both the Security Council and the General Assembly have stressed that widest possible participation in the Scheme is essential and should be encouraged and facilitated.

34. The Sierra Leone Certificate of Origin regime is fully compatible with the Kimberley Process Certification Scheme. The prospects for its further success depends far less on the incidence of illicit mining and smuggling of Sierra Leone diamonds than on faithful adherence by all participants to their responsibilities and obligations under the global Scheme.

¹ S/2002/1115

² S/2003/321

³ S/2003/330

⁴ Testimony before US Senate Committee on Government Affairs, Sub-Committee on Oversight of Government Management

Quoted in The Sierra Leone Web, www.sierra-leone.org

13 February 2002

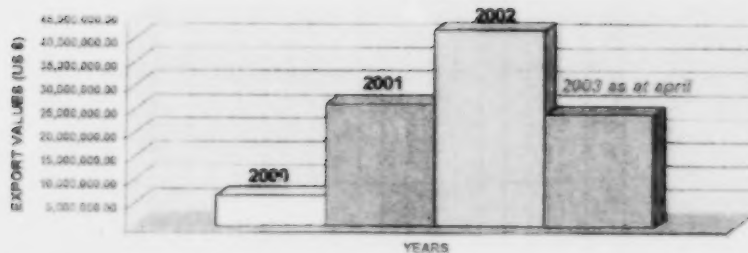
⁵ S/2002/152, and its Annex

⁶ S/2002/1115

GOVERNMENT GOLD AND DIAMOND OFFICE - SIERRA LEONE

DIAMOND EXPORTS UNDER CERTIFICATION REGIME

	YEAR	MONTHS	TOTAL CARATS	SUBTOTAL CARATS	VALUES (\$)	SUBTOTAL VALUES	PRICE/CARAT
01	2000	OCTOBER	28,480.80	28,480.80	4,470,434.41	4,470,434.41	157.13
02		NOVEMBER	12,128.75	40,609.55	1,079,886.88	5,550,321.29	89.82
03		DECEMBER	8,702.18	49,311.73	983,014.69	6,533,335.98	129.83
04	2001	JANUARY	13,486.10	62,797.83	1,991,773.84	8,525,109.82	147.89
05		FEBRUARY	18,384.87	81,182.70	1,908,278.29	10,433,388.11	124.10
06		MARCH	20,055.63	101,238.33	2,808,334.87	13,241,722.98	133.89
07		APRIL	14,448.88	115,687.21	1,821,337.48	15,063,060.46	126.13
08		MAY	16,998.98	132,686.19	2,186,788.89	17,249,849.35	126.89
09		JUNE	16,882.29	149,568.48	2,184,917.36	19,434,766.71	137.87
10		JULY	18,161.11	167,729.59	2,184,888.88	21,619,655.59	118.84
11		AUGUST	16,888.67	184,618.26	2,280,482.42	23,900,138.01	138.13
12		SEPTEMBER	29,706.68	214,324.94	2,184,848.38	26,084,986.39	125.87
13		OCTOBER	24,087.82	238,412.76	2,488,445.46	28,573,431.85	183.28
14		NOVEMBER	21,358.88	259,771.64	2,182,822.86	30,756,254.71	186.78
15		DECEMBER	18,888.34	278,660.00	2,832,708.34	33,588,963.05	156.94
16	2002	JANUARY	20,888.75	299,548.75	1,438,888.88	35,027,851.93	88.77
17		FEBRUARY	18,888.88	318,437.63	1,782,888.78	36,810,740.71	184.94
18		MARCH	13,288.84	331,726.47	1,880,818.88	38,691,559.59	119.78
19		APRIL	25,781.72	357,508.19	3,772,788.26	42,464,347.85	146.46
20		MAY	28,781.27	386,289.46	3,341,843.81	45,806,191.66	188.88
21		JUNE	28,888.43	415,177.89	4,188,788.43	50,004,980.09	141.48
22		JULY	37,478.73	452,656.62	4,828,888.11	54,833,868.43	131.28
23		AUGUST	32,288.28	484,944.90	4,311,882.82	59,145,751.25	133.78
24		SEPTEMBER	48,488.13	533,433.03	5,388,133.48	64,533,884.73	188.48
25		OCTOBER	28,448.86	561,881.89	3,770,188.88	68,304,073.61	128.02
26		NOVEMBER	33,888.78	595,770.67	3,788,878.88	72,092,952.49	111.41
27		DECEMBER	33,188.88	628,959.55	3,888,387.88	75,981,340.37	118.88
28	2003	JANUARY	37,888.88	666,848.43	4,812,124.44	80,793,464.81	121.84
29		FEBRUARY	48,812.74	715,661.17	7,887,888.88	88,681,353.69	148.18
30		MARCH	28,888.78	744,549.95	4,827,287.48	93,508,641.17	182.88
31		APRIL	48,288.88	792,838.83	7,383,137.88	100,891,779.05	158.84
		TOTAL	777,862.97		98,177,432.12		126.20



**GOVERNMENT GOLD AND DIAMOND OFFICE
DIAMOND EXPORTS UNDER CERTIFICATION REGIME**

2002 - 2003 - as at 12 May, 2003

DESTINATION	NO.CERT	CARATAGE	VALUE
BELGIUM	439	773,362.78	94,897,624.00
CANCELLED	36		
CANADA	1	84.82	14,000.00
GERMANY	4	501.92	68,300.00
GREECE	1	116.94	10,592.70
HOLLAND	1	25.36	10,397.60
INDIA	1	221.27	12,522.74
ISRAEL	16	5,455.72	1,612,597.53
ITALY	1	156.02	28,102.32
CHINA	1	43.55	35,670.00
SOUTH AFRICA	1	26.61	13,536.91
SWEDEN	1	7.46	3,776.61
SWITZERLAND	1	20.70	4,500.00
UK	33	4,183.51	1,040,633.74
UKRAINE	2	60.15	43,209.83
USA	46	3,780.68	1,722,975.83
SUBTOTAL	585	788,047.49	99,518,439.81
OTHERS	14	1,181.81	308,151.04
TOTALS	599	789,229.30	99,824,590.85

DIAMOND EXPORTS UNDER CERTIFICATION REGIME

DESTINATION	2000			2001			2002			2003		
	NO. CERT	CARATS	VALUE (\$)	NO. CERT	CARATS	VALUE (\$)	NO. CERT	CARATS	VALUE (\$)	NO. CERT	CARATS	VALUE (\$)
BELGIUM	28	50,128.12	6,458,577.59	114	211,289.19	23,121,883.93	195	349,188.54	40,827,307.16	104	182,758.93	24,489,855.32
CANCELLED	3			18			14			3		
CANADA				1	84.82	14,000.00						
GERMANY				4	501.82	68,300.00						
GREECE				1	116.94	10,992.70						
HOLLAND				1	25.36	10,397.80						
INDIA				1	221.27	12,522.74						
ISRAEL				7	4,148.52	1,232,852.21	6	1,148.49	280,571.48	3	160.71	99,373.84
ITALY				1	156.02	28,102.32						
SOUTH AFRICA							1	26.61	13,536.91			
SWEDEN							1	7.48	3,778.81			
SWITZERLAND							1	20.70	4,500.00			
UK	2	135.81	64,087.00	13	3,167.01	827,332.28	12	388.19	148,511.38	6	492.50	202,733.10
UKRAINE				1	58.78	41,859.83				1	3.39	1,950.00
USA				20	2,248.15	754,824.55	15	533.54	265,170.59	11	1,000.98	703,160.68
CHINA				1	43.55	35.67						
TOTAL	32	86,281.51	8,533,134.68	183	222,519.83	28,922,857.84	254	261,889.23	41,732,136.39	139	184,868.73	25,539,833.89

**Security Council**

Distr.: General
21 May 2003

Original: English

**Letter dated 16 May 2003 from the Permanent Representative
of Uganda to the United Nations addressed to the President of the
Security Council**

On instructions from my Government, and in view of the prevailing developments in Bunia, I have the honour to transmit herewith a press release issued by the Government of Uganda after the visit of the Third Deputy Prime Minister/Minister for Foreign Affairs, James Wapakhabulo, to France recently (see annex). The visit of Mr. Wapakhabulo and the discussions he held with his French counterpart, Dominique de Villepin, should remove any doubt as to Uganda's position regarding the developments in the Ituri region of the Democratic Republic of the Congo.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) **Semakula Kiwanuka**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Uganda to the United Nations



Annex to the letter dated 16 May 2003 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

Press release

London, 6 May 2003

The Hon. James Wapakhabulo, Third Deputy Prime Minister/Minister for Foreign Affairs, met the French Minister for Foreign Affairs, Mr. Dominique de Villepin, in Paris on 5 May 2003.

The two Ministers discussed the recent developments in the Great Lakes region, including the situation in Ituri, the withdrawal of UPDF from Bunia, the peace process in Burundi and the proposed international conference on the reconstruction and development of the Great Lakes region.

The Hon. Wapakhabulo briefed his French counterpart on the full withdrawal of UPDF from the Democratic Republic of the Congo in accordance with the Security Council resolutions, the Luanda Agreement and the 9 April 2003 summit in Cape Town, South Africa. He underlined the danger of increased inter-ethnic conflict in Ituri, and called on France, as a permanent member of the Security Council, to support the urgent deployment of a more robust MONUC or AU force in Ituri with an adequate mandate under Chapter VII.

The French Foreign Minister appreciated the gravity of the situation in the north-eastern Democratic Republic of the Congo and the need for a more robust MONUC deployment to ensure peace and security in Ituri.

The Hon. Wapakhabulo has been on a visit to Europe for discussions with the Governments of the United Kingdom, Belgium and France, and with the European Union, on the situation in the Great Lakes region.





Security Council

Distr.: General
20 May 2003
English
Original: Spanish

Letter dated 20 May 2003 from the Permanent Representative of Honduras to the United Nations addressed to the President of the Security Council

I have the honour to inform you that, on instructions from my Government, I am requesting that the document dated 30 April 2003, entitled "Organization of American States appoints technical expert to assist in demarcation of El Salvador-Honduras border" (see annex), concerning the ruling issued by the International Court of Justice in the Honduras-El Salvador case, be circulated as a document of the Security Council.

(Signed) Acosta Bonilla
Ambassador
Permanent Representative



Annex to the letter dated 20 May 2003 from the Permanent Representative of Honduras to the United Nations addressed to the President of the Security Council

[Original: English and Spanish]

**Organization of American States appoints technical expert to assist in demarcation of El Salvador-Honduras border:
30 April 2003**

The Organization of American States Assistant Secretary General, Ambassador Luigi R. Einaudi, announced today the appointment of John Gates as a technical expert to facilitate the demarcation of the border between El Salvador and Honduras.

On 11 April the Assistant Secretary General informed the two Governments that a technical expert would be appointed to help resolve problems encountered by the Special El Salvador-Honduras Border Demarcation Commission. This would be done exclusively on engineering problems, for example, when the geodesic coordinates referred to in the judgment of the International Court of Justice do not correspond to the geographic features mentioned in the same document.

Mr. Gates has worked for the Government of the United States of America for more than 20 years as a geodesic and cartography expert. He has vast experience in Latin America and has held posts in Chile, Ecuador, Peru and Panama. He was a key member of the technical and legal experts group that drew up the proposal for delimiting the border between Peru and Ecuador, which was accepted and implemented by the two countries as part of their efforts to resolve their long-standing territorial dispute.

Mr. Gates will perform his current task as an expert of the Pan American Institute of Geography and History, a specialized organ of the Organization of American States. He will meet with the members of the Special El Salvador-Honduras Border Demarcation Commission on 5 May to begin his work.

In 1992, the International Court of Justice issued a ruling regarding the border between El Salvador and Honduras. In September of last year, the Presidents of El Salvador, Francisco Flores, and Honduras, Ricardo Maduro, pledged to complete the demarcation of their border within 18 months.